

11–03–04 Vol. 69 No. 212

N

Wednesday Nov. 3, 2004

Pages 63917–64244

i



The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the Federal Register shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the Federal Register paper edition is \$749 plus postage, or \$808, plus postage, for a combined Federal Register, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the Federal Register including the Federal Register Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily Federal Register, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 69 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202–512–1800
Assistance with public subscriptions 202–512–1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche
Assistance with public single copies
202–512–1800
1–866–512–1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202–741–6005 Assistance with Federal agency subscriptions 202–741–6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to http://listserv.access.gpo.gov and select:

Online mailing list archives FEDREGTOC-L

Join or leave the list
Then follow the instructions.

What's NEW!

Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the *Federal Register* that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available e-mail addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: http://www.regulations.gov



Contents

Federal Register

Vol. 69, No. 212

Wednesday, November 3, 2004

Agricultural Marketing Service PROPOSED RULES

Sweet cherries grown in-Washington, 63958-63960

Agriculture Department

See Agricultural Marketing Service See Food and Nutrition Service See Forest Service

Antitrust Division

NOTICES

National cooperative research notifications:

3-A Sanitary Standards, Inc., 64102

Air Conditioning Contractors of America Educational Institute, Inc., 64102-64103

American Gas Association, 64103

American Welding Society, Inc., 64103

Automotive Glass Replacement Safety Standards Council,

Blu-Ray Disc Association, 64103-64104

Cold Formed Parts and Machine Institute, 64104

Compressed Gas Association, Inc., 64104

Consumer Electronics Association, 64104

DSL Forum, 64104-64105

EOS/ESD Association, Inc., 64105

Health Level Seven, Inc., 64105

Institute of Electrical and Electronics Engineers, 64105 International Electrical Testing Association, 64106

Kitchen Cabinet Manufacturers Association, 64106

Mobile Imaging and Printing Consortium, Inc., 64106 Multiservice Switching Forum, 64106-64107

National Multi Housing Council, 64107

North American Energy Standards Board, 64107

Packaging Machinery Manufacturers Institute, Inc., 64107

Security Industry Association, 64107–64108

Storage Networking Industry Association, 64108

World Airline Entertainment Association, 64108

Census Bureau

NOTICES

Surveys, determinations, etc.:

Retail trade survey; annual, 64025

Centers for Disease Control and Prevention

Grants and cooperative agreements; availability, etc.:

National Center for Chronic Disease Prevention and

Health Promotion Conference Support Program, 64057-64062

People with disabilities; preventing secondary conditions and promoting health; State implementation projects, 64062-64067

Meetings:

Injury Prevention and Control Advisory Committee, 64067

Children and Families Administration NOTICES

Grants and cooperative agreements; availability, etc.: Child Welfare Services State Grants Program, 64068

Coast Guard

PROPOSED RULES

Pollution:

Marine liquefied natural gas spills; thermal and vapor dispersion exclusion zones; rulemaking petition,

Commerce Department

See Census Bureau

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64023–64025

Commission of Fine Arts

NOTICES

Meetings, 64034

Committee for the Implementation of Textile Agreements **NOTICES**

Textile and apparel categories:

Chinese imports—

Cotton trousers; safeguard action request, 64034-64035

Consumer Product Safety Commission

NOTICES

Settlement agreements:

Dynacraft BSC, Inc., 64035-64039

Customs and Border Protection Bureau

NOTICES

Senior Executive Service:

Performance Review Board; membership, 64084

Defense Department

NOTICES

Meetings:

Electron Devices Advisory Group, 64039

Science Board task forces; canceled, 64039

Senior Executive Service:

Performance Review Board; membership, 64039–64040

Drug Enforcement Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64108-64110

Education Department

NOTICES

Grants and cooperative agreements; availability, etc.:

Special education and rehabilitative services-

Training of Interpreters for Individuals Who Are Deaf or Hard of Hearing and Individuals Who Are Deaf-Blind Program, 64239-64243

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Air programs:

Ambient air quality standards, national—

Air quality designations and classifications; 8-hour ozone; early action compact areas with deferred effective dates; correction, 64133–64134

Air quality implementation plans; approval and promulgation; various States:

Iowa, 63947-63950

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:

QST 2808, bacillus pumilus strain, 63950–63954 Thifensulfuron-methyl, 63954–63957

PROPOSED RULES

Air quality implementation plans; approval and promulgation; various States:

Iowa, 63981

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64047–64052

Pesticide programs:

Risk assessments—

Nitrapyrin, 64052–64054

Pesticide registration, cancellation, etc.:

BASF Corp., 64054-64056

Executive Office of the President

See Presidential Documents

Federal Aviation Administration

PROPOSED RULES

Airworthiness directives:

Airbus, 63960-63962

Boeing, 63963-63968

Bombardier, 63968-63970

Empresa Brasileira de Aeronautica S.A. (EMBRAER); withdrawn, 63962–63963

Class E airspace, 63970–63979

NOTICES

Aeronautical land-use assurance; waivers:

Rusk County Airport, TX, 64126

Meetings:

RTCA, Inc., 64126-64127

Federal Election Commission

RULES

Bipartisan Campaign Reform Act; implementation: Coordinated and independent expenditures by party committees, 63919–63921

Federal Energy Regulatory Commission NOTICES

Alaska Natural Gas Pipeline Act:

Alaska natural gas transportation projects; regulations governing conduct of open seasons; rulemaking schedule, 64040

Electric rate and corporate regulation filings, 64040–64044 Environmental statements; notice of intent:

Colorado Interstate Natural Gas Co., 64044–64046 Meetings:

Golden Pass and Vista del Sol LNG Terminals, L.P.; technical conference, 64046–64047

Applications, hearings, determinations, etc.:

Eastern American Energy Corp., 64040

Federal Maritime Commission

PROPOSED RULES

Ocean shipping in foreign commerce:

Non-vessel-operating common carrier service arrangements, 63981–63997

NOTICES

Ocean transportation intermediary licenses: Starlink Consolidation Service, Inc., et al., 64056

Federal Motor Carrier Safety Administration PROPOSED RULES

Motor carrier safety standards:

Drivers' hours of service and records of duty status; supporting documents requirements, 63997–64015

Federal Reserve System

NOTICES

Banks and bank holding companies:

Change in bank control, 64056

Formations, acquisitions, and mergers, 64056–64057

Federal Trade Commission

BUI ES

Fair and Accurate Credit Transactions Act; implementation: Identity theft provisions, 63922–63934

Federal Transit Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64127

Fine Arts Commission

See Commission of Fine Arts

Fish and Wildlife Service

NOTICES

Meetings:

Hanford Reach National Monument Federal Planning Advisory Committee, 64094

Food and Drug Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64068–64074

Food and Nutrition Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64016

Foreign-Trade Zones Board

NOTICES

Applications, hearings, determinations, etc.:

S. B. Marketing Worldwide, Inc.; apparel printing, 64025–64026

Texas

ExxonMobil Corp.; oil refinery complex, 64026

Forest Service

NOTICES

Appealable decisions; legal notice;

Southern Region, 64016–64018

Environmental statements; notice of intent:

Bitterroot National Forest, MT, 64019-64020

Coconino National Forest, AZ, 64020-64022

Wasatch-Cache National Forest, UT and WY, 64022-

64023

Meetings:

Resource Advisory Committees— Crook County, 64023

General Services Administration

NOTICES

Acquisition regulations:

Solicitation mailing list application (SF 129); form revised, 64057

Health and Human Services Department

See Centers for Disease Control and Prevention

See Children and Families Administration

See Food and Drug Administration

See National Institutes of Health

See Public Health Service

See Substance Abuse and Mental Health Services Administration

Homeland Security Department

See Coast Guard

See Customs and Border Protection Bureau

See National Communications System

See U.S. Citizenship and Immigration Services

Housing and Urban Development Department NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64091-64094

Grants and cooperative agreements; availability, etc.: HOPE VI Revitalization of Severely Distressed Public Housing Program, 64135-64224

Indian Affairs Bureau

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64094-64095

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

See Land Management Bureau

See Reclamation Bureau

International Trade Administration

NOTICES

Antidumping:

Bottle-grade polyethylene terephthalate resin from— Indonesia, 64026-64027

Circular welded carbon quality line pipe from— Korea, 64027-64028

Freshwater crawfish tail meat from-

China, 64028-64029

Honey from-

China, 64029-64030

Purified Carboxymethylcellulose from—

Various countries, 64030-64031

International Trade Commission NOTICES

Import investigations:

North American Free Trade Agreement (NAFTA)— Sanitary articles of tri-lobal rayon staple fibers; effect of rules of origin modification, 64101–64102

Justice Department

See Antitrust Division

See Drug Enforcement Administration

Labor Department

See Labor-Management Standards Office See Mine Safety and Health Administration

Labor-Management Standards Office PROPOSED RULES

Standards of conduct:

Federal sector labor organizations, 64225-64231 **NOTICES**

Union organization and voting rights; labor organization characterization as local, intermediate, or national or international; criteria, 64233-64238

Land Management Bureau

NOTICES

Recreation management restrictions, etc.: Crystal Cave, UT; seasonal closure and permit system, 64095-64096

Mine Safety and Health Administration

NOTICES

Safety standard petitions:

Apple Jacks Coal Co., Inc., et al., 64110

National Aeronautics and Space Administration

Agency information collection activities; proposals, submissions, and approvals, 64110-64111 Committees; establishment, renewal, termination, etc.: Exploration Systems Advisory Committee, 64111

National Archives and Records Administration PROPOSED RULES

Records management:

Electronic mail and records; management and disposition, 63980-63981

Agency information collection activities; proposals, submissions, and approvals, 64111-64112 Agency records schedules; availability, 64112-64113

National Communications System

NOTICES

Meetings:

Telecommunications Service Priority System Oversight Committee, 64091

National Highway Traffic Safety Administration

Motor vehicle theft prevention standard:

Passenger motor vehicle theft data (2002 CY)

Correction, 63957

Organization and delegation of powers and duties: Succession to administrator, 63957

NOTICES

Motor vehicle safety standards:

Exemption petitions, etc.—

US SPECS, 64127-64129

Wallace Environmental Testing Laboratories, Inc., 64129-64130

National Institutes of Health

NOTICES

Meetings:

Improving end-of-life care; state-of-the-science conference, 64074-64075

National Heart, Lung, and Blood Institute, 64075

National Institute of Diabetes and Digestive and Kidney Diseases, 64075-64076

Scientific Review Center, 64076–64081 Organization, functions, and authority delegations: Ethics Office, 64081

National Oceanic and Atmospheric Administration NOTICES

Grants and cooperative agreements; availability, etc.:
Ballast Water Technology Demonstration Program and
National Strategic Initiative in Aquatic Invasive
Species Research and Outreach, 64031
Gulf of Mexico Oyster Industry Program, 64032
Oyster Disease Research Program, 64032
Meetings:

National Sea Grant Review Panel, 64032-64033

National Science Foundation

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64113

Nuclear Regulatory Commission

NOTICES

Regulatory guides; issuance, availability, and withdrawal, 64115–64116

Applications, hearings, determinations, etc.: STP Nuclear Operating Co., 64113–64115

Patent and Trademark Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64033

Senior Executive Service:

Performance Review Board; membership, 64033-64034

Postal Service

RULES

International Mail Manual:

International Priority Mail and International Surface Air Lift mailers; discontinuance of volume discount rates, 63946–63947

Presidential Documents

ADMINISTRATIVE ORDERS

Albania; obligation of Cooperative Threat Reduction funds (Presidential Determination No. 2005-05 of October 20, 2004), 63917

Public Health Service

NOTICES

Meetings:

National Toxicology Program—

In vitro testing methods for identifying potential ocular irritants; current validation status assessment, 64081–64082

Reclamation Bureau

NOTICES

Meetings:

Colorado River reservoirs; long-range operating criteria; review, 64096–64101

Research and Special Programs Administration NOTICES

Hazardous materials:

Applications; exemptions, renewals, etc., 64130-64131

Securities and Exchange Commission

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64116–64117 Investment Company Act of 1940:

Asset Alliance Advisors, Inc., et al., 64117–64118 Pacific Life Insurance Co., et al., 64119–64123

Self-regulatory organizations; proposed rule changes: National Association of Securities Dealers, Inc.; correction, Z4-02709

National Securities Clearing Corp., 64123-64124

Small Business Administration

RULES

Standards of conduct and employee restrictions and responsibilities, 63921–63922

NOTICES

Disaster loan areas:

West Virginia, 64124

Meetings:

Regulatory Fairness Boards—

Region VII; Public Roundtable, 64124

Small business size standards:

Nonmanufacturer rule; waivers-

Power-driven handtool manufacturing, 64124-64125

State Department

RULES

Information and records; availability to public, 63934–63946

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64125

Meetings:

International Law Advisory Committee, 64125-64126

Substance Abuse and Mental Health Services Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 64083–64084

Surface Transportation Board

NOTICES

Railroad services abandonment:

Red River Valley & Western Railroad Co., 64131–64132

Textile Agreements Implementation Committee

See Committee for the Implementation of Textile Agreements

Transportation Department

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration

See Federal Transit Administration

See National Highway Traffic Safety Administration

See Research and Special Programs Administration

See Surface Transportation Board

U.S. Citizenship and Immigration Services

Temporary protected status program designations; terminations, extensions, etc.: Honduras, 64084–64088 Nicaragua, 64088–64091

Separate Parts In This Issue

Part I

Housing and Urban Development Department, 64135-64224

Part III

Labor Department, Labor-Management Standards Office, 64225-64231

Part IV

Labor Department, Labor-Management Standards Office, 64233-64238

Part V

Education Department, 64239-64243

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http:// listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

3 CFR
Administrative Orders: Presidential
Determinations: No. 2005-05 of
October 20, 200463917 7 CFR
-
Proposed Rules: 92363958
11 CFR
10263919
106
13 CFR
10563921 14 CFR
Proposed Rules:
39 (5 documents)63960,
63062, 63963, 63965, 63968
63062, 63963, 63965, 63968 71 (7 documents)63970,
63972, 63973, 63974, 63975,
63976, 63978
16 CFR
60363922
61363922 61463922
22 CFR
17163934
29 CFR
Proposed Rules: 45864226
33 CFR
Proposed Rules: Ch. I
36 CFR
Proposed Rules:
123463980
39 CFR
2063946
40 CFR
5263947 8164133
180 (2 documents)63950,
63954
Proposed Rules:
5263981
46 CFR
Proposed Rules:
53163981
49 CFR
50163957
54163957
Proposed Rules:
37963997 38163997
38563997
39063997
39563997